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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,057

Applicant(s)

JANIK ET AL.

Examiner

Edan Orgad

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 and 46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41, 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 4/4/05 with respect to claims 14 and 19, 112 second paragraph are persuasive. Rejection is withdrawn.

Applicant's arguments filed 4/4/05 with respect to claims 1, 3-6, 9, 14, 16-19, 21-25, 28, 29, 34 and 36-41 have been fully considered but they are not persuasive.

Applicant main arguments concentrates on Lee failing to: (1) disclose downloading is based on user preferences on a remote programming device (2) cashing by the computer system when the automobile is out of range (3) downloading by the wireless transceiver of compressed and data files is done based on user defined preferences at the remote programming devices and (4) disclosing specific times when digital content is to be downloaded.

Applicant further argues Haartsen, specifically that Haartsen fails to provide disclosure for automatic synchronization that is based on user-defined preferences and further does not disclose automatic synchronization occurs at times based on user preferences.

Examiner respectfully disagrees with applicant. With respect to the first argument that Lee fails to disclose downloading is based on user preferences on a remote programming device, examiner would like to point out, col. 6, lines 24-35, Lee specifically disclose a user can customize the way audio broadcasts and personal information service is organized, in other words, downloading is based on user preferences. With respect to applicant's second argument that Lee fails to disclose cashing by the computer when the automobile is out of range. Applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., cashing) is not recited in the rejected

Art Unit: 2684

claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, Lee does disclose in col. 7, lines 28-43... allowing previous recorded broadcasts to be played back at desired times or designated locations. In other words, when out of range, Lee disclosing storing or recording. With respect to applicant's third argument that Lee fails to disclose downloading by the wireless transceiver of compressed and data files is done based on user defined preferences at the remote programming devices. Again, it is examiner's contention that Lee, col. 6, lines 24-35 does specifically disclose a user can customize the way audio broadcasts and personal information service is organized, in other words, downloading is based on user preferences. With respect to applicant's fourth arguments that Lee fails to specifically disclose specific times when digital content is to be downloaded, examiner again respectfully disagrees. Lee, col. 7, lines 21-28, specifically teaches allowing downloads to occur at the listener's discretion, regarding time and place.

With respect to applicant's argument in view of Haartsen, specifically that Haartsen fails to provide disclosure for automatic synchronization that is based on user-defined preferences. Examiner, respectfully disagrees. It is examiner's contention that Haartsen, page 112 box "c" does disclose automatically synchronizing and updating digital content. These are user defined preferences since Haartsen discloses the user of the computer setting these automatic synchs as examples of composing emails while not connected wirelessly to any network and once a connection is permitted or occurs, the emails etc are sent. Furthermore, one skilled in the art would look to Haartsen to remedy Lee because both inventions deal with local wireless protocols and efficient means to utilize these protocols as the user (Haartsen, page 112, box "c").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3 –6, 9, 14, 16 –19, 21 –25, 28, 29, 34, and 36 –41 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (Lee, US Patent No. 6,728,531) in view of Haartsen (Haartsen, “Bluetooth- The universal interface for ad hoc, wireless connectivity”).

Regarding claim 1, Lee teaches of an automotive storage and playback device for coupling to an automobile (Figures 1 and 3) comprising: a first wireless transceiver to receive digital content from a computer system via a wireless local area network based on user defined preferences input into the computer system (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28), the first wireless transceiver communicably coupled to the wireless local area network when the first wireless transceiver is within range of a second wireless transceiver associated with the computer system (Figure 1 column 7, lines 21 –28), wherein the computer system is located externally and remotely with respect to the automobile and obtains at least a portion of the digital content while the first wireless transceiver is outside the range of the second wireless transceiver (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28); and a converter to convert the digital content to be sent to and played on an output device in the automobile (Figures 1 and 2 and column 8, lines 28 –53).

Lee does not specifically teach of receive [digital content] automatically (note the brackets are added for clarity in language and it is believed these limitations are addressed in the above cited reference).

In a related art dealing with short ranged wireless local area networks, Haartsen teaches of automatically (for example, page 112, Box C, "Automatic Synchronization") and additionally of obtains at least a portion of the digital content while the first wireless transceiver is outside the range of the second wireless transceiver (for example, page 112, Box C, "Automatic Synchronization").

It would have been obvious to one skilled in the art at the time of invention to have included into Lee's local area network, Haartsen's automatic synchronization, for the purposes of automatically updating files when in range to keep databases current and up to date, as taught Haartsen.

Regarding claim 3, Lee in view of Haartsen teach all the claimed limitations as recited in claim 1. Lee in view of Haartsen further teach of wherein the first wireless transceiver receives the digital content periodically at times designated according to the user defined preferences input into the computer system (Lee: column 6, lines 24 –35 and Haarsten: Figure 1 and page 112, Box C, "Automatic Synchronization").

Regarding claim 4, Lee in view of Haartsen teach all the claimed limitations as recited in claim 1. Lee further teaches of wherein the digital content is transferred to the automotive storage and playback device in response to a user action at the computer system (column 6, lines 24 –35).

Regarding claim 5, Lee in view of Haartsen teach all the claimed limitations as recited in claim 1. Lee further teaches of comprising a storage and datalink unit coupled with the first wireless transceiver (Figure 2 and column 8, lines 54 –64), the storage and datalink unit to receive the digital content from the first wireless transceiver and convert the digital content into at least one of binary data-and instructions (Figure 2 and column 8, lines 54 –64).

Regarding claims 6 and 25, Lee in view of Haartsen teach all the claimed limitations as recited in claims 5 and 24. Lee further teaches of comprising a head unit coupled to the storage and data link unit via at least one cable (Figure 4 and column 49 –56).

Regarding claim 9, Lee in view of Haartsen teach all the claimed limitations as recited in claim 1. Lee further teaches of wherein the digital content includes at least one of a music file, a text file, an image file, a video file, and an interactive multimedia file (column 6, lines 42 –51 and column 7, lines 21 –28).

Regarding claim 14, Lee teaches of an apparatus comprising: a computer system communicably coupled to the a wireless local area network (Figures 1 and 3), the computer system obtaining, storing and sending digital content via the wireless local area network to an automotive storage and playback device when the automotive storage and playback device includes a wireless transceiver that is within range of the wireless local area network (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28); the computer system obtaining the digital content from a wide area network, based on user defined preferences input into the computer system, while the wireless local area network is not within range of the wireless transceiver of the automotive storage and playback device (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28).

Art Unit: 2684

Lee does not specifically teach of automatically [sending digital content] (note the brackets are added for clarity in language and it is believed these limitations are addressed in the above cited reference).

In a related art dealing with short ranged wireless local area networks, Haartsen teaches of automatically (for example, page 112, Box C, "Automatic Synchronization") and additionally of obtaining the digital content from a wide area network while the wireless local area network is not within range of the wireless transceiver

(for example, page 112, Box C, "Automatic Synchronization").

It would have been obvious to one skilled in the art at the time of invention to have included into Lee's local area network, Haartsen's automatic synchronization, for the purposes of automatically updating files when in range to keep databases current and up to date, as taught Haartsen.

Regarding claim 16, Lee in view of Haartsen teach all the claimed limitations as recited in claim 14. Lee in view of Haartsen further teach of wherein the computer system sends the digital content periodically at times designated according to the user defined preferences input into the computer system (Lee: column 6, lines 24 –35 and Haarsten: Figure 1 and page 112, Box C, "Automatic Synchronization").

Regarding claim s 17, 22, and 37, Lee in view of Haartsen teach all the claimed limitations as recited in claims 14, 19, and 34. Lee further teaches of wherein the computer system is operable to send the digital content in response to a user action at the computer system (column 6, lines 24 –35 and column 7, lines 21 –27).

Regarding claim 18 and 23, Lee in view of Haartsen teach all the claimed limitations as recited in claims 14 and 19. Lee further teaches of wherein the computer system comprises: a system control application to manage and control the transfer of the digital content (column 6, lines 24 –35 and column 7, lines 21 –27); and a user interface (column 6, lines 24 –35 and column 7, lines 21 –27).

Regarding claims 19 and 34, Lee teaches of a system and method for transferring digital content to an automobile (Figures 1 and 3) comprising: an automotive storage and playback device for coupling to the automobile (Figure 2), the automotive storage and playback device including a first wireless transceiver to receive digital content via a wireless local area network (Figures 1 and 2 and column 7, lines 21 –27), the automotive storage and playback device coupled to an output device in the automobile that is capable of playing the digital content (Figures 1 and 2 and column 8, lines 28 –64); and a computer system communicably coupled to the wireless local area network and remotely located with respect to the automotive storage and playback device (Figure 1 and column 6, lines 24 –35), the computer system obtaining, storing, and sending the digital content via the wireless local area network to the automotive storage and playback device when the automotive storage and playback device includes a wireless transceiver that is within range of the wireless local area network (Figure 1 and column 6, lines 24 –35 and column 7, lines 21 –27), the computer system obtaining the digital content from a wide area network (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –27), based on user defined preferences input into the computer system (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –27), while the wireless local area network is not within

Art Unit: 2684

range of the wireless transceiver of the automotive storage and playback device (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –27).

Lee does not specifically teach of automatically [sending digital content] (note the brackets are added for clarity in language and it is believed these limitations are addressed in the above cited reference).

In a related art dealing with short ranged wireless local area networks, Haartsen teaches of automatically (for example, page 112, Box C, “Automatic Synchronization”) and additionally of obtaining the digital content from a wide area network while the wireless local area network is not within range of the wireless transceiver (for example, page 112, Box C, “Automatic Synchronization”).

It would have been obvious to one skilled in the art at the time of invention to have included into Lee’s local area network, Haartsen’s automatic synchronization, for the purposes of automatically updating files when in range to keep databases current and up to date, as taught Haartsen.

Claims 21 and 36, Lee in view Haartsen teach all the claimed limitations as recited in claims 19 and 34. Lee in view of Haartsen further teach of wherein the automotive storage and playback device receives the digital content periodically at times designated according to the user defined preferences input into the computer system (Lee: column 6, lines 24 –35 and Haarsten: Figure 1 and page 112, Box C, “Automatic Synchronization”).

Regarding claim 24, Lee in view of Haartsen teach all the claimed limitations as recited in claim 19. Lee further teaches of further comprising a storage and datalink unit coupled with the first wireless transceiver to receive the digital content from the first wireless transceiver

Art Unit: 2684

(Figure 2 and column 8, lines 54 –64) and convert the digital content into at least one of binary data and instructions (Figure 2 and column 8, lines 54 –64).

Regarding claims 28 and 41 Lee in view of Haartsen teach all the claimed limitations as recited in claims 19 and 34. Lee and Haartsen both teach of wherein the digital content includes at least one of a music file, a text file, an image file, a video file, and an interactive multimedia file (Lee: column 8, lines 54 – 63 and Haartsen: page 112, Box C, for example).

Regarding claim 29, Lee in view Haartsen teach all the claimed limitations as recited in claim 19. Lee and Haartsen both teach of wherein the wide area network is Internet (Lee: column 8, lines 54 – 63 and Haartsen: page 112, Box C, for example).

Regarding claim 38, Lee in view Haartsen teach all the claimed limitations as recited in claim 34. Lee further teaches of further comprising decompressing and converting the digital content into at least one of binary data and instructions (column 8, lines 54 – 64).

Regarding claim 39, Lee in view Haartsen teach all the claimed limitations as recited in claim 34. Lee further teaches of further comprising transferring the converted content to an output device in the automobile (column 8, lines 28 – 53).

Regarding claim 40, Lee in view Haartsen teach all the claimed limitations as recited in claim 34. Lee further teaches of comprising playing the converted content on the output device (column 8, lines 28 – 53).

Claims 2, 15, 20, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (Lee, US Patent No. 6,728,531) in view of Haartsen (Haartsen, “Bluetooth- The universal interface for ad hoc, wireless connectivity”) as applied to claims 1, 14, 19, and 34

Art Unit: 2684

above, and further in view of Beard et al (Beard, US Patent No. 6,434,187) in view of Boys (Boys, US Patent No. 6,314,094).

Regarding claim 2, Lee in view of Haartsen teach all the claimed limitations as recited in claim 1. Lee in view of Haartsen further teach of comprising the first wireless transceiver to broadcasts a discovery message periodically and automatically to discover a system control application in the computer system for the purpose of transferring the digital content (Lee: Figure 1 and column 7, lines 21 –28 and Haartsen: page 115 “Establishing connection;” note that the Lee indicates downloading at a gas station or home).

Lee in view of Haartsen do not specifically teach of control firmware performing the described functions and the described functions occurring when the automobile is turned off (though Lee does teach of downloading at a gas station, where traditionally automobiles must be off when fueling).

In a related art dealing with wireless local area transceivers, Beard teaches of control firmware performing the described functions (column 16, lines 28 –39).

It would have been obvious to one skilled in the art at the time of invention to have included into Lee and Haartsen’s local area transceiver, Beard’s control firmware provisions, for the purposes of providing a field re-programmable coding device and system that controls the operation of the transceiver, as taught by Beard.

Lee in view of Haartsen and Beard do not specifically teach of the described functions occurring when the automobile is turned off (though Lee does teach of downloading at a gas station, where traditionally automobiles must be off when fueling and Haartsen teaches of

Art Unit: 2684

portable devices using wireless local area devices, which would inherently require battery power).

In a related art dealing with a vehicular Internet radio device, Boys teaches of the described functions occurring when the automobile is turned off (column 3, lines 31 –41).

It would have been obvious to one skilled in the art at the time of invention to have included Lee, Haartsen, and Beard's automotive wireless Internet player system, Boy's provisions to play the radio device, for the purposes of operation of the device without using up the car's battery supply, as taught by Boys.

Regarding claim 15, Lee in view of Haartsen teach all the claimed limitations as recited in claim 14. Lee in view of Haartsen further teach of wherein the computer system comprises a system control application to send the digital content automatically and playback device broadcasting a discovery message to the system control application (Lee: Figure 1 and column 7, lines 21 –28 and Haartsen: page 115 "Establishing connection;" note that the Lee indicates downloading at a gas station or home).

Lee in view of Haartsen do not specifically teach of control firmware performing the described functions and the described functions occurring when the automobile coupled to the automotive storage is turned off control firmware performing the described functions and (though Lee does teach of downloading at a gas station, where traditionally automobiles must be off when fueling).

In a related art dealing with wireless local area transceivers, Beard teaches of control firmware performing the described functions (column 16, lines 28 –39).

It would have been obvious to one skilled in the art at the time of invention to have included into Lee and Haartsen's local area transceiver, Beard's control firmware provisions, for the purposes of providing a field re-programmable coding device and system that controls the operation of the transceiver, as taught by Beard.

Lee in view of Haartsen and Beard do not specifically teach of the described functions occurring when the automobile coupled to the automotive storage is turned off (though Lee does teach of downloading at a gas station, where traditionally automobiles must be off when fueling and Haartsen teaches of portable devices using wireless local area devices, which would inherently require battery power).

In a related art dealing with a vehicular Internet radio device, Boys teaches of the described functions occurring when the automobile coupled to the automotive storage is turned off (column 3, lines 31 –41).

It would have been obvious to one skilled in the art at the time of invention to have included Lee, Haartsen, and Beard's automotive wireless Internet player system, Boy's provisions to play the radio device, for the purposes of operation of the device without using up the car's battery supply, as taught by Boys.

Regarding claims 20 and 35, Lee in view of Haartsen teach all the claimed limitations as recited in claims 19 and 34. Lee in view of Haartsen further teach wherein the automotive storage and playback device broadcasts a discovery message periodically and automatically for the purpose of synchronizing content from a system control application on the computer system (Lee: Figure 1 and column 7, lines 21 –28 and Haartsen: page 115 "Establishing connection," note that the Lee indicates downloading at a gas station or home).

Art Unit: 2684

Lee in view of Haartsen do not specifically teach of control firmware performing the described functions and the described functions occurring when the automobile coupled to the automotive storage is turned off control firmware performing the described functions and (though Lee does teach of downloading at a gas station, where traditionally automobiles must be off when fueling).

In a related art dealing with wireless local area transceivers, Beard teaches of control firmware performing the described functions (column 16, lines 28 –39).

It would have been obvious to one skilled in the art at the time of invention to have included into Lee and Haartsen's local area transceiver, Beard's control firmware provisions, for the purposes of providing a field re-programmable coding device and system that controls the operation of the transceiver, as taught by Beard.

Lee in view of Haartsen and Beard do not specifically teach of the described functions occurring when the automobile coupled to the automotive storage is turned off (though Lee does teach of downloading at a gas station, where traditionally automobiles must be off when fueling and Haartsen teaches of portable devices using wireless local area devices, which would inherently require battery power).

In a related art dealing with a vehicular Internet radio device, Boys teaches of the described functions occurring when the automobile coupled to the automotive storage is turned off (column 3, lines 31 –41).

It would have been obvious to one skilled in the art at the time of invention to have included Lee, Haartsen, and Beard's automotive wireless Internet player system, Boy's

Art Unit: 2684

provisions to play the radio device, for the purposes of operation of the device without using up the car's battery supply, as taught by Boys.

Claims 7, 8, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (Lee, US Patent No. 6,728,531) in view of Haartsen (Haartsen, "Bluetooth- The universal interface for ad hoc, wireless connectivity") as applied to claim 6 and 25 above, and further in view of MacDonald et al. (MacDonald, US Patent No. 5,371,802).

Regarding claims 7 and 26, Lee in view of Haartsen teach all the claimed limitations as recited in claims 6 and 25. Lee further teaches of wherein the head unit comprises: a stereo sound processor (Figures 2 and 4 and column 6, lines 42 –59); an audio mixer coupled with the stereo sound processor (Figures 2 and 4 and column 6, lines 42 –59 and column 13, lines 7 – 54); an amplifier (Figures 2 and 4 and column 6, lines 42 –59 and column 13, lines 7 – 54); a tuner attached to the automobile (Figure 2, column 6, lines 42 –51); and a user interface (Figures 2 and 4 and column 6, lines 42 –59 and column 13, lines 7 – 54).

Lee in view of Haartsen do not specifically teach of a pre-amplifier [coupled with the audio mixer]; [an amplifier] coupled with the pre-amplifier and [a tuner] coupled to an antenna [attached to the automobile].

In a related art dealing with automotive sound systems, MacDonald teaches of a pre-amplifier [coupled with the audio mixer] (Figure 1 and column 2, lines 36 –52); [an amplifier] coupled with the pre-amplifier (Figure 1 and column 2, lines 36 –52); and [a tuner] coupled to an antenna [attached to the automobile] (Figure 1 and column 2, lines 36 –52).

Art Unit: 2684

It would have been obvious to one skilled in the art at the time of invention to have included into Lee and Haartsen's sound system, MacDonald's additional sound processing components for the purposes of higher audio performance (as the environment of an automobile is generally louder), as taught by MacDonald.

Regarding claims 8 and 27, Lee in view of Haartsen and MacDonald teach all the claimed limitations as recited in claim 7 and 26. Lee further teaches of wherein the head unit further comprises: a compact disc drive coupled with the stereo sound processor (Figure 2); and Lee and MacDonald teach of an audiocassette drive coupled with the stereo sound processor (Lee: column 8, lines 46 –50 and MacDonald: Figure 1 and column 2, lines 36 –52).

Claims 10 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (Lee, US Patent No. 6,728,531) in view of Haartsen (Haartsen, "Bluetooth- The universal interface for ad hoc, wireless connectivity") as applied to claims 5 and 24 above, and further in view of Kikinis (Kikinis, US Patent No. 6,055,566).

Regarding claims 10 and 30, Lee in view of Haartsen teaches all the claimed limitations as recited in claims 5 and 24. Lee in view of Haartsen do not specifically teach that wherein the storage and datalink unit includes a battery (though it should be noted that Lee teaches of coupled to a battery as all automotive devices have a battery, column 13, lines 35 –56 and Haartsen's portable wireless devices are all inherently battery powered as per page 112).

In a related art dealing with a media player, Kikinis teaches of wherein the storage and datalink unit includes a battery (column 2, lines 52 – 55).

Art Unit: 2684

It would have been obvious to one skilled in the art at the time of invention to have included into Lee and Haartsen's head-data link system, Kikinis' battery, for the purposes of portable playback (such as when using a portable Internet connection), as taught by Kikinis.

Claims 11 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (Lee, US Patent No. 6,728,531) in view of Haartsen (Haartsen, "Bluetooth- The universal interface for ad hoc, wireless connectivity") as applied to claims 5 and 24 above, and further in view of Obradovich (Obradovich, US Patent No. 6,009,355).

Regarding claims 11 and 31, Lee in view of Haartsen teach all the claimed limitations as recited in claims 5 and 24. Lee in view of Haartsen do not specifically teach of wherein the storage and datalink unit includes a temperature-based control system (though Lee teaches of multi-functional consol, in Figure 2).

In a related art with a vehicle control and multimedia system, Obradovich teaches of wherein the storage and datalink unit includes a temperature-based control system (as seen in Figures 1 and 11 and column 16, lines 20 –63).

It would have been obvious to one skilled in the art at the time of invention to have included into Lee and Haartsen's storage and data link system, Obradovich's temperature control, for the purposes of providing a centralized information and control system in an automobile that is user friendly and easy to use, as taught by Obradovich.

Claims 12, 13, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (Lee, US Patent No. 6,728,531) in view of Haartsen (Haartsen, "Bluetooth- The

Art Unit: 2684

universal interface for ad hoc, wireless connectivity”) as applied to claims 5 and 24 above, and further in view of Berberich et al. (Berberich, US Patent No. 5,703,734).

Regarding claims 12 and 32, Lee in view of Haartsen teach all the claimed limitations as recited in claims 5 and 24. Lee in view of Haartsen do not specifically teach of wherein the storage and datalink unit includes a vibration dampening system (though it should be noted that Lee teaches of a hard drive in column 8, lines 54 –64).

In a related storage media, Berberich teaches of wherein the storage and datalink unit includes a vibration dampening system (Figure 2; column 6, lines 31 – 40; Figures 9 and 10; and column 9, lines 6 – 21)

It would have been obvious to one skilled in the art at the time of invention to have included into Lee and Haartsen’s hard drive storage system, Berberich’s shock absorbing/dampening material, for the purposes of protecting the device and the material stored, as taught by Berberich.

Regarding claims 13 and 33, Lee in view of Haartsen and Berberich teach all the claimed limitations as recited in claims 12 and 32. Berberich further teaches of wherein the vibration dampening system includes two elastomeric suspension caps (Figure 2; column 6, lines 31 – 40; Figures 9 and 10; and column 9, lines 6 – 21).

Regarding claim 46, Lee teaches of an article of manufacture having one or more recordable media with executable instructions stored thereon which, when executed by a system, causes the system to perform (Figures 1 and 3) a method comprising: causing a transfer of digital content from a computer system to an automotive storage and playback device (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28), wherein at least a portion of the digital

Art Unit: 2684

content was obtained from a wide area network while a wireless local area network is not within range of the wireless transceiver of the automotive storage and playback device (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28), and further wherein selection of the digital content to obtain is based on user defined preferences input into the remote computer system (Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28).

Lee does not specifically teach of [causing the automotive storage and playback device] to periodically and automatically send one or more messages [via a wireless transceiver to the computer system] and when the car is turned off (though Lee does teach of a wireless transceiver and obtaining information when car is at home and a gas station, traditionally places where a car is off in Figures 1 and 3 and column 6, lines 24 –35 and column 7, lines 21 –28; note the brackets are added for clarity in language and that it is believed these limitations are addressed in the above cited reference).

In a related art dealing with short ranged wireless local area networks, Haartsen teaches of [causing the automotive storage and playback device] to periodically and automatically send one or more messages [via a wireless transceiver to the computer system] (for example, page 112, Box C, “Automatic Synchronization” and page 115 “Establishing connection”).

It would have been obvious to one skilled in the art at the time of invention to have included into Lee’s local area network, Haartsen’s automatic synchronization, for the purposes of automatically updating files when in range to keep databases current and up to date, as taught Haartsen.

Art Unit: 2684

Lee in view of Haartsen do not specifically teach of when the automobile is turned off (though Lee does teach of downloading at a gas station, where traditionally automobiles must be off when fueling).

In a related art dealing with a vehicular Internet radio device, Boys teaches of the described functions occurring when the automobile is turned off (column 3, lines 31 –41).

It would have been obvious to one skilled in the art at the time of invention to have included Lee and Haartsen's automotive wireless Internet player system, Boy's provisions to play the radio device, for the purposes of operation of the device without using up the car's battery supply, as taught by Boys.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Art Unit: 2684

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 571-272-7884. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edan Orgad


June 20, 2005


NAY MAUNG
SUPERVISORY PATENT EXAMINER